ATTN: MAIL STOP DD PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the Application of:

Yang, Shumin McCall, Catherine A. Weber, Eric R.

Serial No.: 10/787,382

Filed: February 24, 2004

Atty. File no.: IM-2-C1-C1-1

For: "CANINE AND FELINE

IMMUNOREGULATORY PROTEINS,

NUCLEIC ACID MOLECULES, AND USES

THEREOF"

Group Art Unit:

Examiner:

INFORMATION DISCLOSURE **STATEMENT**

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO MAIL STOP DD, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON

THIS 22 DAY OF APRIL 2004.

HESKA CORPORATION

Susan Gordon

Mail Stop DD

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to Applicants' duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicants hereby provide the enclosed Form PTO-1449. The present application, Serial No. 10/787,382, relies upon the previously filed application, Serial No. 09/755,633, filed January 5, 2001; which relies upon Serial No. 09/322,409, filed May 28, 1999, for an earlier filing date. Therefore, in accordance with 37 CFR § 1.98(d), copies of all documents listed on attached Form PTO-1449 that were previously submitted to the U.S. Patent and Trademark Office in Application Serial No. 09/755,633 are not herein provided.

Respectfully submitted,

Dated: April 22, 2004

Richard J. Stern, Ph.D. Registration No. 50,668 Heska Corporation

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U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	ISSUE DATE	PATENTEE	CLS	SUB-CLS	FILE DATE
	A1	5,831,023	Nov. 3, 1998	Capon et al.			

	FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATIONS								
EXAM. INITIAL		DOCUMENT NUMBER	PUBL. DATE	COUNTRY	CLS	SUB-CLS	TRANS		
	B1	0 186 098 A1	2 Jul 1986	Europe					
	B2	0 759 468 A1	26 Feb 1997	Europe			11100		
	В3	EP 0 322 870 A2	5 July 1989	Europe					
	B4	EP 0 414 355 A1	27 February 1991	Europe					
	B5	EP 0 875 251 A1	4 November 1998	Europe					
	В6	WO 99/61618	2 December 1999	PCT					

		OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)
	C1	Armitage et al., Seminars in Immunology, Vol. 5, 1993, pp. 401-412
	C2	Armitage et al., <i>Nature</i> , Vol. 357, 1992, pp. 80-82
	C3	Azuma et al., Nucleic Acids Research, Vol. 14, No. 22, 1986, pp. 9149-9158
	C4	Brown et al., <i>Journal of Immunology</i> , Vol. 142, No. 2, 1989, pp. 679-687
	C5	Cantrell et al., <i>Proc. Natl., Acad. Sci. USA</i> , Vol. 82, 1985, pp. 6250-6254
	C6	Daugherty et al., <i>Journal of Interferon Research</i> , Vol. 4, 1984, pp. 635-643
	C 7	Dion et al., Biochemical and Biophysical Research Communications, Vol. 138, No. 2, 1986, pp. 826-834
	C8	Drexler, <i>Leukemia</i> , Vol. 10, 1996, pp. 588-599
	C9	Feng et al., <i>J. Mol. Evol.</i> , Vol. 21, 1985, pp. 112-125
	C10	Gauchat et al., <i>Res. Immunol.</i> , Vol. 145(3), Mar-Apr 1994, pp. 240-249
	C11	Gauchat et al., <i>FEBS 11964</i> , Vol. 315, No. 3, 1993, pp. 259-266
	C12	Goeddel et al., <i>Nature</i> , Vol. 290, 1981, pp. 20-26
EXAMINER		DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	U.S. DEPARTMENT OF COMPATENT AND TRADEMARK	MERCEO I	*	тту. роск	ET NO. IM-2-C1-C1-1	SERIAL NO. 10/787,382
INFORMATION DISCLOSUR STATEMENT BY APPLICAN		E APP 2 0	A 2004	APPLICANT Shumin Yang, Catherine A. McCall, Eric R. Weber		
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·		RADEMARKS				
		OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)				
	C13	Gough et al., <i>The EMBO Journal</i> , Vol. 4, No. 3, 1985, pp. 645-653				
	C14	Graf et al., <i>Eur. J. Immunol.</i> , Vol. 22, 1992, pp. 3191-3194				
	C15	Grimaldi et al., <i>Journal of Immunology</i> , Vol. 149, No. 12, 1992, pp. 3921-3926				
	C16	Hannum et al., <i>Nature</i> , Vol. 368, 1994, pp. 643-648				
	C17	Heussler et al., <i>Gene</i> , Vol. 114, 1992, pp. 273-278				
	C18	Himmler et al., Journal of Interferon Research, Vol. 7, 1987, pp. 173-183				
	C19	Hirano et al., <i>Immunology</i> , Vol. 90, 1997, pp. 294-300				
	C20	Hollenbaugh et al., <i>The EMBO Journal</i> , Vol. 11, No. 12, 1992, pp. 4313-4321				
	C21	Inumaru et al., Immunology and Cell Biology, Vol. 73, 1995, pp. 474-476				
	C22	Johnson et al., <i>J. Mol. Biol.</i> , Vol. 233, 1993, pp. 716-738				
	C23	Kelley et al., Nucleic Acids Research, Vol. 13, No. 3, 1985, pp. 805-823				
	C24	Lakkis et al., Biochemical and Biophysical Research Communications, Vol. 197, No. 2, 1993, pp. 612-618				
	C25	Leong et al., Veterinary Immunology and Immunopathology, Vol. 21, 1989, pp. 261-278				
	C26	Lerner et al., GenBank Accession No. U39634, submitted 27 Oct 1995				
	C27	Lerner et al., GenBank Accession No. AAB42052 (U39634.1), submitted 27 Oct 1995				
	C28	Lyman et al., <i>Blood</i> , Vol. 83, No. 10, 1994, pp. 2795-2801				
	C29	Lyman et al., <i>Oncogene</i> , Vol. 10, 1995, pp. 149-157				
	C30	Lyman et al., <i>Cell</i> , Vol. 75, 1993, pp. 1157-1167				
	C31	Lyman et al., <i>Oncogene</i> , Vol. 11, 1995, pp. 1165-1172				
	C32	McClanahan et al., <i>Blood</i> , Vol. 88, No. 9, 1996, pp. 3371-3382				
	C33	McInnes et al., <i>Gene</i> , Vol. 105, 1991, pp. 275-279				
	C34	McKenzie et al., <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 90, 1993, pp. 3735-3739				
	C35	Mertens et al., Immunogenetics, Vol. 42, 1995, pp. 430-431				
	C36	Minty et al., <i>Nature</i> , Vol. 362, 1993, pp. 248-250				
	C37	Nagata et al. <i>Nature</i> , Vol. 287, 1980, pp. 401-408				
	C38	Nakamura et al., <i>Biosci. Biotech. Biochem.</i> , Vol. 56, No. 2, 1992, pp. 211-214				
	C39	Nash et al., <i>Blood</i> , Vol. 78, No. 4, 1991, pp. 930-937				
EXAMINER		DATE CONSIDERED				

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FILING DATE February 24, 2004

GROUP

	_	OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)
	C40	Navarro et al., <i>J. Gen. Virol.</i> Vol. 70, 1989, pp. 1381-1389
	C41	O'Brien et al., Immunology and Cell Biology, Vol. 69, 1991, pp. 51-55
	C42	Osorio et al., <i>Vaccine</i> , Vol. 17, 1999, pp. 1109-1116
	C43	Padrid et al., <i>AJVR</i> , Vol. 59, No. 10, 1998, pp. 1263-1269
	C44	Patterson et al., Journal of Clinical Investigation, Vol. 44, No. 1, 1965, pp. 140-148
	C45	Seow et al., <i>Gene</i> , Vol. 124, 1993, pp. 291-293
	C46	Sideras et al., <i>Adv. Exp. Med. Biol.</i> , Vol. 213, 1987, pp. 227-236
	C47	Stamenkovic et al., <i>The EMBO Journal</i> , Vol. 8, No. 5, 1989, pp. 1403-1410
	C48	Torres et al., <i>Journal of Immunology</i> , Vol. 148, No. 2, 1992, pp. 620-626
	C49	Wong et al., <i>Science</i> , Vol. 228, 1985, pp. 810-815
	C50	Yokota et al., <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 83, 1986, pp. 5894-5898
	C51	Zhou et al., GenBank Accession No. L12991
	C52	Van Der Kaaij, et al., 1999, "Immunogenetics," Vol. 49, pp. 142-143
	C53	Ueda, et al., 1993, <i>Journal of Veterinary Medical Science</i> , Vol. 55, No. 2, pp. 251-258, XP001001462
EXAMINER		DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.